

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY	)	
AVERAGE WHOLESALE PRICE	)	MDL No. 1456
LITIGATION	)	
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THIS DOCUMENT RELATES TO ALL	)	CIVIL ACTION: 01-CV-12257-PBS
CLASS ACTIONS	)	Judge Patti B. Saris
	)	Chief Magistrate Judge Marianne B. Bowler
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**NOTICE OF FILING UNDER SEAL**

To: All Counsel of Record

Please take notice that on December 17, 2004, we caused to be filed with the Clerk of the District of Massachusetts under seal the following:

1. Plaintiffs' Reply Memorandum in Support of Class Certification;
2. Plaintiffs' Appendix of Summary Charts in Support of Class Certification;
3. Exhibits 1-2, 4-9 and 11 to the Declaration of Steve W. Berman in Support of Plaintiffs' Reply Memorandum in Support of Class Certification;
4. Rebuttal Declaration of Raymond S. Hartman in Support Plaintiffs' Motion for Class Certification;
5. Plaintiffs' Reply to AstraZeneca Pharmaceutical LP's Individual Memorandum in Opposition to Class Certification;
6. Exhibits 1-24 to the Declaration of Steve W. Berman in Support of Plaintiffs' Reply to AstraZeneca Pharmaceutical LP's Individual Memorandum in Opposition to for Class Certification;
7. Plaintiffs' Reply to Schering-Plough Group's Individual Memorandum in Opposition to Class Certification;

8. Exhibits 3-16 to the Declaration of Steve W. Berman in Support of Plaintiffs' Reply to Schering-Plough Group's Individual Memorandum in Opposition to Class Certification;
9. Plaintiffs' Reply to Bristol-Myers Squibb's Individual Memorandum in Opposition to Class Certification;
10. Exhibits 1-11 to the Declaration of Steve W. Berman in Support of Plaintiffs' Reply to Bristol-Myers Squibb's Individual Memorandum in Opposition to Class Certification;
11. Plaintiffs' Reply to Johnson & Johnson's Individual Memorandum in Opposition to Class Certification;
12. Exhibits 1-15 to the Declaration of Steve W. Berman In Support of Plaintiffs' Reply to Johnson & Johnson's Individual Memorandum in Opposition to Class Certification;
13. Plaintiffs' Memorandum in Opposition to Defendants' Motion to Strike the Harman Declaration;
14. Declaration of Dr. Raymond S. Hartman in Rebuttal to Dr. Halbert L. White;
15. Class Plaintiffs' Memorandum in Support of Their Motion to Strike Declaration of Eric M. Gaier, Ph.D.;
16. Class Plaintiffs' Memorandum in Support of Their Motion To Strike Portions of the Declaration of Robert P. Navarro;
17. Class Plaintiffs' Memorandum in Support of Their Motion to Strike Portions of the Declaration of Steven J. Young; and
18. Exhibits 1-6 and 9-13 to the Declaration of Thomas M. Sobol in Support of Class Plaintiffs' Motions to Strike Declarations of Eric M. Gaier Ph.D., Robert P. Navarro, and Steve J. Young.

DATED: December 17, 2004.

By /s/ Steve W. Berman

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**CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **NOTICE OF FILING UNDER SEAL** to be electronically filed with the Court pursuant to the December 16, 2004 Order and to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on December 17, 2004 a copy to Verilaw Technologies for posting and notification to all parties.

By /s/ Steve W. Berman  
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